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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/728,704

12/05/2003

Anthony E. Faltesek

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(8364-90287)

9944

7590

09/13/2006

Patent Services Group
Honeywell International, Inc.
101 Columbia Road
P.O. Box 2245
Morristown, NJ 07962

EXAMINER

POPE, DARYL C

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 09/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/728,704

Applicant(s)

FALTESEK, ANTHONY E.

Examiner

DARYL C. POPE

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 14-26 is/are rejected.
- 7) ☒ Claim(s) 6-13 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/13/04
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____

DETAILED ACTION

ART REJECTION:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5,14-19, and 21-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Kimmel et al(6,281,790).

-- In considering claim 1, the claimed subject matter that is met by Kimmel et al(Kimmel) includes:

1) establishing a plurality of fire detection points in a region is met by the alarm points(102,104,106,108, etc., figure 1, column 4, lines 1-8);

2) collecting indicia from the points indicative of a fire is met by the black circles(106, 108) indicating fire alarm conditions(see: column 4, lines 31);

3) the stabling graphically a direction of fire travel in response to some of the collected indicia is met(see: column 4, lines 40-44).

-- With regards to claims 2-4, the indicia being periodically collected, the fire direction being established by comparing the collected indicia during a plurality of time intervals, and displaying a time based sequence of periodically collected indicia, thereby indicating fire direction is met by the real-time tracking of alarm state changes in the

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system, which would have required periodic collection of alarm indicia during intervals in which the alarm points would have been indicating alarm conditions.

-- With regards to claim 5, the displaying a representation of the region and displaying a fire direction indicating symbol is met by the graphical display of the monitored region(see: figure 1), and the symbol indicating fire direction is met by the furthest extended colored alarm point(102,204,108, etc.) which would have been an indication symbolic of fire direction.

-- With regards to claims 14-17, the determining if more than one fire condition is developing in a region, two spaced apart fire conditions, vector indicative of fire travel, and spaced apart non-fire indicating detection points is met by the display(100) showing all fire conditions in all regions as denoted by the color coded alarm points(see: figure 1).

-- Claims 18-19, and 21-22 recite subject matter that is met as discussed in claims 1-5 and 14-17 above, as well as:

1) the software stored on a computer readable medium is met by the Browser encapsulated communications programs of the Host Computer, remote computer, and mobile computer which allow real-time status and tracking of fire data(see: column 7, lines 1-65).

-- Claims 23-26 recite subject matter that is met as discussed in claims 1-5 and 14-17 above.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kimmel et al(Kimmel) in view of Brogi et al(5,734,335).

-- With regards to claim 20, although not specifically taught by Kimmel, use of software for estimating future fire progression is well known in the art. In related art, Brogi et al(Brogi) discloses a fire detection system wherein a fire predictive software for predicting future fire data changes(see: column 6, lines 47-57). Since the use of estimated future fire progression software is well known in the art, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the prediction software of Brogi into the system of Kimmel, since the would have enhanced the operation of the fire detection system by allowing preparation of fire to potentially affected areas.

Allowable Subject Matter

5. Claims 6-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DARYL C. POPE whose telephone number is 571-272-2959. The examiner can normally be reached on M-TH 9:00-7:30.

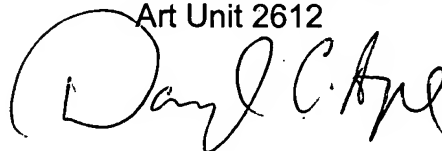
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MIKE HORABIK can be reached on 571-272-3068. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daryl C. Pope

September 10, 2006

DARYL C POPE
Primary Examiner
Art Unit 2612

A handwritten signature in black ink, appearing to read "Daryl C. Pope", is written over the printed name and title.